

FILED MAR 12 1999

By Gutierrez

H.B. No. 3682

A BILL TO BE ENTITLED

AN ACT

relating to authorizing a state agency to waive a matching funds
requirement for an economically disadvantaged county.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 783, Government Code, is amended by
adding Section 783.009 to read as follows:

Sec. 783.009. MATCHING FUND WAIVER FOR ECONOMICALLY
DISADVANTAGED COUNTY. (a) In this section, "economically
disadvantaged county" means a county that has, in comparison to
other counties in the state:

(1) below average per capita taxable property value;

(2) below average per capita income; and

(3) above average unemployment.

(b) A state agency may, for an economically disadvantaged
county, waive or adjust any matching funds requirement that is
otherwise a condition for a county to receive a grant or other form
of financial assistance from the agency.

SECTION 2. The importance of this legislation and the
crowded condition of the calendars in both houses create an
emergency and an imperative public necessity that the
constitutional rule requiring bills to be read on three several
days in each house be suspended, and this rule is hereby suspended,
and that this Act take effect and be in force from and after its
passage, and it is so enacted.

HOUSE COMMITTEE REPORT

1st Printing

By Gutierrez, Cuellar, Flores

H.B. No. 3682

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COMMITTEE REPORT

The Honorable James E. "Pete" Laney
Speaker of the House of Representatives

4-20-99
(date)

Sir:

We, your COMMITTEE ON APPROPRIATIONS

to whom was referred HB 3682 have had the same under consideration and beg to report back with the recommendation that it

- ☒ do pass, without amendment.
☐ do pass, with amendment(s).
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
☒ yes ☐ no A fiscal note was requested.
☐ yes ☒ no A criminal justice policy impact statement was requested.
☐ yes ☒ no An equalized educational funding impact statement was requested.
☐ yes ☒ no An actuarial analysis was requested.
☐ yes ☒ no A water development policy impact statement was requested.
☐ yes ☒ no A tax equity note was requested.
☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

Joint Sponsors: _____ / _____ / _____ / _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Junell, Chair	✓			
West, Vice-chair	✓			
Coleman				✓
Cuellar	✓			
Delisi	✓			
Eiland	✓			
Farrar	✓			
Flores	✓			
Gallego	✓			
Giddings	✓			
Glaze				✓
Gutierrez	✓			
Hartnett				✓
Heflin				✓
Hochberg				✓
Janek	✓			
Luna	✓			
McReynolds	✓			
Moreno, P.				✓
Mowery	✓			
Pickett				✓
Pitts				✓
Puente				✓
Staples				✓
Tillery	✓			
Turner, S.	✓			
Van de Putte				✓

Total

27
16
8
0
11

aye
nay
present, not voting
absent

CHAIR

[Signature]

BILL ANALYSIS

Office of House Bill Analysis

H.B. 3682
By: Gutierrez
Appropriations
4/8/1999
Introduced

BACKGROUND AND PURPOSE

Currently, many state programs require communities to contribute local matching funds in order to take part in those programs or to qualify for state funding. There is concern that the ability for some communities to raise the necessary matching funds may be restricted by local economic factors. High employment, low per capita income, and small tax bases contribute to the inability of some communities to obtain certain resources and infrastructure. H.B. 3682 authorizes a state agency, for an economically disadvantaged county, to waive or adjust any matching funds requirement that is otherwise a condition for a county to receive a grant or other form of financial assistance from the agency. H.B. 3682 defines "economically disadvantaged county" as a county that has below average per capita taxable property value and income, and above average unemployment, in comparison to other counties in the state.

RULEMAKING AUTHORITY

It is the opinion of the Office of House Bill Analysis that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 783, Government Code, by adding Section 783.009, as follows:

Sec. 783.009. MATCHING FUND WAIVER FOR ECONOMICALLY DISADVANTAGED COUNTY. Defines "economically disadvantaged county" for the purposes of this section. Authorizes a state agency, for an economically disadvantaged county, to waive or adjust any matching funds requirement that is otherwise a condition for a county to receive a grant or other form of financial assistance from the agency.

SECTION 2. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE ACTION

HB 3682

April 14, 1999 8:00AM
Considered in public hearing
Left pending in committee

April 20, 1999 8:00AM
Considered in public hearing
Reported favorably without amendment(s)

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 7, 1999

TO: Honorable Robert Junell, Chair, House Committee on Appropriations

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HB3682** by Gutierrez (relating to authorizing a state agency to waive a matching funds requirement for an economically disadvantaged county), **As Introduced**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 580 Water Development Board, 332 Department of Housing and
Community Affairs

LBB Staff: JK, BB, SD, DM

F
ENGROSSED
SECOND READING

By Gutierrez, Cuellar, Flores

H.B. No. 3682

A BILL TO BE ENTITLED

AN ACT

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(b) A state agency may, for an economically disadvantaged county, waive or adjust any matching funds requirement that is otherwise a condition for a county to receive a grant or other form of financial assistance from the agency.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

HOUSE ENGROSSMENT

By Gutierrez, Cuellar, Flores, Gallego

H.B. No. 3682

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Source Agencies: 580 Water Development Board, 332 Department of Housing and
Community Affairs

LBB Staff: JK, BB, SD, DM

1-1 By: Gutierrez, et al. (Senate Sponsor - Shapleigh) H.B. No. 3682
1-2 (In the Senate - Received from the House May 5, 1999;
1-3 May 6, 1999, read first time and referred to Committee on State
1-4 Affairs; May 14, 1999, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 14, 1999, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to authorizing a state agency to waive a matching funds
1-9 requirement for an economically disadvantaged county.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 783, Government Code, is amended by
1-12 adding Section 783.009 to read as follows:

1-13 Sec. 783.009. MATCHING FUND WAIVER FOR ECONOMICALLY
1-14 DISADVANTAGED COUNTY. (a) In this section, "economically
1-15 disadvantaged county" means a county that has, in comparison to
1-16 other counties in the state:

1-17 (1) below average per capita taxable property value;

1-18 (2) below average per capita income; and

1-19 (3) above average unemployment.

1-20 (b) A state agency may, for an economically disadvantaged
1-21 county, waive or adjust any matching funds requirement that is
1-22 otherwise a condition for a county to receive a grant or other form
1-23 of financial assistance from the agency.

1-24 SECTION 2. The importance of this legislation and the
1-25 crowded condition of the calendars in both houses create an
1-26 emergency and an imperative public necessity that the
1-27 constitutional rule requiring bills to be read on three several
1-28 days in each house be suspended, and this rule is hereby suspended,
1-29 and that this Act take effect and be in force from and after its
1-30 passage, and it is so enacted.

1-31 * * * * *

FAVORABLE
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 3682
By Coutierrez/Shapleigh
(Author/Senate Sponsor)
5/14/99
(date)

We, your Committee on STATE AFFAIRS, to which was referred the attached measure,
have on 5/13/99, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

☒ do pass and be printed

☐ do pass and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☐ no

An actuarial analysis was requested. ☐ yes ☐ no

Considered by subcommittee. ☐ yes ☐ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Shapiro, Chair	<input checked="" type="checkbox"/>			
Senator Shapleigh, Vice-Chair	<input checked="" type="checkbox"/>			
Senator Bernsen	<input checked="" type="checkbox"/>			
Senator Brown	<input checked="" type="checkbox"/>			
Senator Cain	<input checked="" type="checkbox"/>			
Senator Haywood			<input checked="" type="checkbox"/>	
Senator Lucio	<input checked="" type="checkbox"/>			
Senator Nixon	<input checked="" type="checkbox"/>			
Senator Wentworth	<input checked="" type="checkbox"/>			
TOTAL VOTES	<u>8</u>	<u>0</u>	<u>1</u>	<u>0</u>

COMMITTEE ACTION

S260 Considered in public hearing

S270 Testimony taken

CB Nottingham
COMMITTEE CLERK

Shapiro
CHAIRMAN

WITNESS LIST

HB 3682
SENATE COMMITTEE REPORT
State Affairs Committee

May 13, 1999 - 12:30P

Registering, but not testifying:

For: Garcia, Joe A. (Texas Border Infrastructure Coalition), Austin

BILL ANALYSIS

Senate Research Center
76R4503 JRD-D

H.B. 3682
By: Gutierrez (Shapleigh)
State Affairs
5/12/1999
Engrossed

DIGEST

Currently, Texas law requires communities to contribute local matching funds in order to take part in state programs. In many communities across the state, local economic factors severely restrict the ability of those communities to raise the necessary matching funds. This bill would authorize state agencies to waive or adjust matching funds requirements for economically disadvantaged counties.

PURPOSE

As proposed, H.B. 3682 authorizes state agencies to waive or adjust matching funds requirements for economically disadvantaged counties.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 783, Government Code, by adding Section 783.009, as follows:

Sec. 783.009. MATCHING FUND WAIVER FOR ECONOMICALLY DISADVANTAGED COUNTY. Defines "economically disadvantaged county." Authorizes a state agency, for an economically disadvantaged county, waive or adjust any matching funds requirement that is otherwise a condition for a county to receive a grant or other form of financial assistance from the agency.

SECTION 2. Emergency clause.
Effective date: upon passage.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 12, 1999

TO: Honorable Florence Shapiro, Chair, Senate Committee on State Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HB3682** by Gutierrez (Relating to authorizing a state agency to waive a matching funds requirement for an economically disadvantaged county.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
--

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 580 Water Development Board, 332 Department of Housing and
Community Affairs

LBB Staff: JK, SD, BB, DM

LEGISLATIVE BUDGET BOARD
Austin, Texas

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April 7, 1999

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LBB Staff: JK, BB, SD, DM

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that HB 3682, by: Cutierrez/Shepleigh
(Bill No.) (Author/Sponsor)
was heard by the State Affairs Committee on 5/13, 1999,
and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

R. Nottingham
(Clerk of the reporting committee)

IMPORTANT: THE YELLOW COPY OF THIS FORM AND (1) COPY OF YOUR BILL OR RESOLUTION
(COMMITTEE PRINTED VERSION) MUST BE DELIVERED TO THE ADMINISTRATION OFFICE,
E1.714. DEADLINES FOR SUBMITTING BILLS WILL BE ANNOUNCED ON A REGULAR BASIS.

Committee Clerks: Original to Calendar Clerk. Pink copy for committee files. Green and yellow copies to bill author/sponsor.
Author/Sponsor: Green copy for office files. Submit yellow copy to Administration with your bill.

ADOPTED

Floor Amendment No. 1

MAY 26 1999

By

Shaple

Amend H.B. No. 3682 as follows:

Deputy Secretary
Secretary of the Senate

Strike all below the enacting clause and replace it with the following:

SECTION 1. Chapter 783, Government Code, is amended by adding Section 783.009 to read as follows:

Sec. 783.009. MATCHING FUND WAIVER FOR ECONOMICALLY DISADVANTAGED COUNTY OR CENSUS TRACT. (a) In this section, "economically disadvantaged county" means a county that has a per capita taxable property tax value that is less than one-half the average per capita taxable property value of counties in the state or, in comparison to other counties in the state, has:

(1) below average per capita taxable property value;

(2) below average per capita income; and

(3) above average unemployment.

(b) In this section, "economically disadvantaged census tract" means a census tract delineated by the U.S. Bureau of the Census in the most recent decennial census in which the median family income is reported by the U.S. Bureau of the Census to be less than 80 percent of the area median family income.

(c) Except as provided by subsection (d), a state agency may, for an economically disadvantaged county or economically disadvantaged census tract, ~~waive or~~ adjust any matching funds requirement that is otherwise a condition for a county to receive a grant or other form of financial assistance from the agency.

(d) This section does not apply to the Texas Transportation Commission or to waivers or adjustments of matching funds requirements granted by the Texas Department of Transportation or governed by subsection (a), Section 222.053, Transportation Code.

(e) Each agency shall include information about its use of waivers or adjustments to matching funds requirements in its annual report. The information shall include the disposition of each instance where a waiver or adjustment is requested or considered.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

SENATE AMENDMENTS

99 MAY 26 PM 6:17

2nd Printing

HOUSE OF REPRESENTATIVES

By Gutierrez, Cuellar, Flores, Gallego

H.B. No. 3682

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AN ACT

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ADOPTED

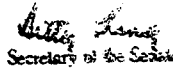
Floor Amendment No. 1

MAY 26 1999

By



Amend H.B. No. 3682 as follows:


Secretary of the Senate

Strike all below the enacting clause and replace it with the following:

1 SECTION 1. Chapter 783, Government Code, is amended by adding Section 783.009 to read
2 as follows:

3 Sec. 783.009. MATCHING FUND WAIVER FOR ECONOMICALLY DISADVANTAGED
4 COUNTY OR CENSUS TRACT. (a) In this section, "economically disadvantaged county" means a
5 county that has a per capita taxable property tax value that is less than one-half the average per capita
6 taxable property value of counties in the state or, in comparison to other counties in the state, has:

7 (1) below average per capita taxable property value;

8 (2) below average per capita income; and

9 (3) above average unemployment.

10 (b) In this section, "economically disadvantaged census tract" means a census tract delineated
11 by the U.S. Bureau of the Census in the most recent decennial census in which the median family
12 income is reported by the U.S. Bureau of the Census to be less than 80 percent of the area median family
13 income.

14 (c) Except as provided by subsection (d), a state agency may, for an economically
15 disadvantaged county or economically disadvantaged census tract, ~~waive~~ or adjust any matching funds
16 requirement that is otherwise a condition for a county to receive a grant or other form of financial
17 assistance from the agency.

18 (d) This section does not apply to the Texas Transportation Commission or to waivers or
19 adjustments of matching funds requirements granted by the Texas Department of Transportation or
20 governed by subsection (a), Section 222.053, Transportation Code.

21 (e) Each agency shall include information about its use of waivers or adjustments to matching
22 funds requirements in its annual report. The information shall include the disposition of each instance
23 where a waiver or adjustment is requested or considered.

24 SECTION 2. The importance of this legislation and the crowded condition of the calendars in
25 both houses create an emergency and an imperative public necessity that the constitutional rule
26 requiring bills to be read on three several days in each house be suspended, and this rule is hereby
27 suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 12, 1999

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FROM: John Keel, Director, Legislative Budget Board

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Local Government Impact

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Source Agencies: 580 Water Development Board, 332 Department of Housing and
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LBB Staff: JK, SD, BB, DM

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Austin, Texas

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LBB Staff: JK, BB, SD, DM

ENROLLED

H.B. No. 3682

AN ACT

relating to authorizing a state agency to adjust a matching funds requirement for an economically disadvantaged county or census tract.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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(c) Except as provided by Subsection (d), a state agency may, for an economically disadvantaged county or economically disadvantaged census tract, adjust any matching funds requirement

1 that is otherwise a condition for a county to receive a grant or
2 other form of financial assistance from the agency.

3 (d) This section does not apply to the Texas Transportation
4 Commission or to waivers or adjustments of matching funds
5 requirements granted by the Texas Department of Transportation or
6 governed by Section 222.053(a), Transportation Code.

7 (e) Each agency shall include information about its use of
8 waivers or adjustments to matching funds requirements in its annual
9 report. The information shall include the disposition of each
10 instance where a waiver or adjustment is requested or considered.

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12 crowded condition of the calendars in both houses create an
13 emergency and an imperative public necessity that the
14 constitutional rule requiring bills to be read on three several
15 days in each house be suspended, and this rule is hereby suspended,
16 and that this Act take effect and be in force from and after its
17 passage, and it is so enacted.

H.B. No. 3682

President of the Senate

Speaker of the House

I certify that H.B. No. 3682 was passed by the House on May 4, 1999, by the following vote: Yeas 136, Nays 2, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3682 on May 27, 1999, by the following vote: Yeas 136, Nays 4, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3682 was passed by the Senate, with amendments, on May 26, 1999, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

President of the Senate

Speaker of the House

I certify that H.B. No. 3682⁽¹⁾ was passed by the House on

May 4⁽²⁾, 1999, by the following vote:

Yeas 136⁽³⁾, Nays 2, 1 present, not voting⁽⁴⁾;

and that the House concurred in Senate amendments to H.B. No. 3682 on May 27⁽⁵⁾, 1999, by the following vote:

Yeas 136⁽⁶⁾, Nays 4, 1 present, not voting⁽⁷⁾.

Chief Clerk of the House

**** Preparation: CT31;

I certify that H.B. No. 3682⁽¹⁾ was passed by the Senate, with

amendments, on May 26⁽²⁾, 1999, by the

following vote: Yeas 30⁽³⁾, Nays 0⁽⁴⁾.

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: CT32;

JOINT AUTHOR AUTHORIZATION

As primary author of HB-3682 I hereby authorize the following joint author(s):
(bill or resolution #)

Henry Cuellar
printed name of joint author #1

Henry Cuellar
signature of joint author #1

Rene Oliviera
printed name of joint author #2

signature of joint author #2

King Pores
printed name of joint author #3

King
signature of joint author #3

PETE GALLEGU
printed name of joint author #4

Pete P. Gallego
signature of joint author #4

Robert Butters
signature of primary author

4/20/99
date

ORIGINAL FORM--Place in book

SEND COPIES TO:
Debbie Irvine (Legislative Council)
Legislative Reference Library
House Journal

A BILL TO BE ENTITLED
AN ACT

Relating to authorizing a state agency to waive a matching funds requirement for an economically disadvantaged county.

MAR 12 1999

Filed with the Chief Clerk

MAR 18 1999

Read first time and referred to Committee on

APR 20 1999

Reported ___favorably ~~(un-amended)~~
(as substituted)

APR 23 1999

Sent to Committee on (Calendars)
(~~Calendar~~ ~~Calendar~~)

MAY 03 1999

Read second time (~~comm. sub.~~) (~~amended~~); passed to third reading (~~failed~~) by a (non-record vote) ~~(record vote of~~ yeas nay ~~present not voting~~)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of _____ yeas, _____ nays, _____ present, not voting

MAY 04 1999

Read third time ~~(amended)~~; finally passed ~~(failed to pass)~~ by a ~~(non-record vote)~~
(record vote of 136 yeas, 2 nays, 1 present, not voting)

MAY 05 1999

Engrossed

MAY 05 1999

Sent to Senate

Sharon Carter

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

MAY 5 1999

Received from the House

MAY 06 1999

Read and referred to Committee on STATE AFFAIRS

MAY 14 1999

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

MAY 26 1999

Senate and Constitutional Rules to permit consideration suspended by unanimous consent
(yeas, nays)

MAY 25 1999

Read second time, amended, and passed to third reading by (unanimous consent)
(a viva voce vote)
(— yeas, — nays)

MAY 26 1999

Senate and Constitutional 3 Day Rules suspended by a vote of 30 years, 0 days

MAY 26 1999

Read third time, _____, and passed by ~~(a viva voce vote)~~
(30 yeas, 0 nays)

May 24, 1999

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 26 1999

Returned from the Senate (~~to be substituted~~)
(with amendments)

MAY 27 1999

House concurred in Senate amendments by a (non-record vote)
(record vote of 136 yeas, 4 nays, 1 present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: _____, Chair; _____,

_____, _____, _____,

Senate granted House request. Senate conferees appointed: _____, Chair;

_____, _____, _____, _____,

Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)

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HOUSE OF REPRESENTATIVES

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